



## HARYANA REAL ESTATE REGULATORY AUTHORITY PANCHKULA

Website: [www.haryanarera.gov.in](http://www.haryanarera.gov.in)  
BEFORE ADJUDICATING OFFICER  
EXECUTION NO. 2591 OF 2023  
IN  
COMPLAINT NO. 2502 OF 2022

Uma Khanna

....Decree Holder

VERSUS

Movish Realtech Pvt. Ltd.

....Judgment Debtor

**Date of Hearing:** 27.11.2025

**Hearing:** 7th

**Present:** Mr. Kunal Thapa, Adv., for the decree holder through VC.  
Mr. Kamaljeet Dahiya, Adv., for the judgment debtor through VC.

### ORDER

Today, the case is fixed for filing reply to the application under Order XXI Rule 37 CPC and affidavit in compliance of Order XXI Rule 41 CPC.

2. As per office report, reply to the application under Order XXI Rule 37 CPC has been filed by the judgment debtor, however, no affidavit in compliance of Order XXI Rule 41 CPC has<sup>e</sup> been filed by the judgment debtor, who otherwise has filed reply to application under Order XXI Rule 41 CPC challenging the jurisdiction of this Forum by claiming that this Forum cannot resort to provisions of Civil Procedure Code in execution, thus has to refer the dispute to civil court in case of its inability to execute its order, in view of the provisions of Rule 27(1) of the HRERA Rules, 2017.

  
27/11/2025

At the outset, it is observed that there is violation of directions passed under Order XXI Rule 41(2) CPC on the part of judgment debtor, without any justified reasons given. However, the envisaged consequential actions under Order XXI Rule 41(3) CPC as of now is not resorted to, as first of all this Forum has to decide objection raised to its jurisdiction to initiate action under Order XXI Rule 37 and Order XXI Rule 41(2) CPC. Resultantly, initiation of action under Order XXI Rule 41(3) CPC would only be initiated once this Forum decide the question to its jurisdiction raised by Id. Counsel for the judgment debtor. So would be the fate of application under order XXI Rule 37 CPC.

On request, now to come up on date **12.01.2026** for consideration on the question of jurisdiction and then action under Order XXI Rule 37 and Rule 41 (3) CPC, if objection to jurisdiction is discarded.

Let, order be uploaded on webportal of the Authority.

Akshita  
Law Associate

  
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**MAJOR PHALIT SHARMA**  
**ADSJ (Retd.)**  
**ADJUDICATING OFFICER**  
**27.11.2025**